

Appl. No. 09/297,483
Amendment dated July 18, 2003
Reply to Advisory Action of June 17, 2003

Attorney Docket No. 81756.0003

REMARKS

To expedite the prosecution of this application, claims 56, 65, 68-82 and 63, 67, 98-112 are canceled without prejudice or disclaimer, and claims 37, 62 and 113 are amended to recite “independently filling each of the openings with a light-emitting layer composition over the hole injecting or transporting layer using an ink-jet head to form the light-emitting layer, wherein a height of the hole injecting or transporting layer and the light-emitting layer is less than that of the partitioning member.” Support for these amendments can be found throughout the specification and drawings of the present application, for example, in FIG. 1. Claims 37, 53, 54, 62, 96, 97, 112, 113, and 127 have been amended to change the term “hole injecting and transporting layer” to “hole injecting or transporting layer.” Claims 37-49, 51, 53, 54, 64; 62, 66, 83-97; and 113-127 are pending in the application. Reexamination and reconsideration of the application, as amended, are respectfully requested.

Information Disclosure Statement (IDS)

The information presented in the IDS filed on 5/27/03 was not considered since that IDS lacked a statement as required pursuant 37 C.F.R. 1.97(e). Submitted concurrently herewith is a new IDS that includes the statement as required pursuant 37 C.F.R. 1.97(e). Applicant requests that the information presented in the IDS be considered.

Art-based Rejections

Claims 53 and 113-127 were rejected under 35 U.S.C. 103(a) as being unpatentable over Liu ‘417 in view of Cao ‘281 and Jonas ‘515. Claims 37-49, 51, 53, 56, 62-81, 83-96, 98-111 and 113-127 were rejected under 35 U.S.C. 103(a) as being unpatentable over Liu ‘407 in view of Cao ‘281 and Jonas ‘515 and further in view of Taniguchi ‘572. Claims 54, 82, 97, 112 and 128 were rejected under 35 U.S.C. 103(a) as being unpatentable over Liu ‘407 in view of Cao ‘281 and Jonas ‘515 and further in view of Jonas ‘483. To the extent the same grounds of rejection are applied to the amended claims, Applicants respectfully traverse these rejections for at least the following reasons.

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Applicant submits that the cited references fail to teach or suggest "independently filling each of the openings with a light-emitting layer composition over the hole injecting or transporting layer using an ink-jet head to form the light-emitting layer, wherein a height of the hole injecting or transporting layer and the light-emitting layer is less than that of the partitioning member," as required by each of the independent claims 37, 62 and 113.

Since the cited references fail to teach or suggest every recitation of independent claims 37, 62 and 113, Applicant submits that all of the claims are in condition for allowance and that the rejections under 35 U.S.C. 103(a) should be withdrawn. In the event the Examiner seeks to maintain the rejections of claims 37, 62 and 113, then Applicant respectfully requests that the Official Action cite a reference that teaches the recitations of independent claims 37, 62, and 113.

For at least the foregoing reasons, Applicant submits that independent claims 37, 62 and 113 are patentable over the cited references. Dependent claims 38-49, 51, 53, 54 and 64; 66, 83-97; and 114-127 are also patentable at least by virtue of their dependency from claims 37, 62 and 113, respectively, and also because those claims recite other novel features that are not taught or suggested by the cited references.

The art made of record but not relied upon by the Examiner has been considered. However, it is submitted that this art neither describes nor suggests the presently claimed invention.

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Reexamination and reconsideration of the application, as amended, are requested.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California telephone number (213) 337-6700 to discuss the steps necessary for placing the application in condition for allowance.

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If there are any fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-1314.

Respectfully submitted,

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Date: July 18, 2003

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